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**Fitch, Even, Tabin & Flannery**  
*Intellectual Property Law*

SEP 01 2004

F A C S I M I L E

DATE: September 1, 2004

NO. OF PAGES: Cover + 9

FROM: Timothy E. Levstik

OUR FILE NO.: 79568

TO:

TRANSMITTED BY: Teddi

Examiner Anthony Weier

U.S. PTO; Art Unit 1761

703 872 9306

2-page transmittal (amendment); 7 pages Preliminary Amendment.

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PAGE 1/10 \* RCVD AT 9/1/2004 2:05:21 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/7 \* DNIS:8729306 \* CSID:3125777007 \* DURATION (mm:ss):02:42

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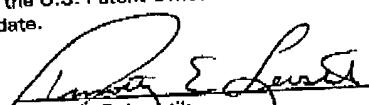
SEP 01 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln No.: 10/684,074  
 Filed: Oct. 10, 2003  
 Applicant(s): Efstathiou, John  
 Title: FROZEN CONCENTRATED  
       LIQUID WHOLE EGG AND  
       METHOD OF MAKING SAME  
 Art Unit: 1761  
 Examiner: Weier, Anthony  
 Attorney Docket No.: 79568  
 Customer No.: 22242

Confirmation No. 3054CERTIFICATE OF FACSIMILE

I hereby certify that this paper is being facsimile  
 transmitted to the U.S. Patent Office fax No. 703 872  
 9306 on this date.

  
 Date 09/01/04  
 Timothy E. Levittik  
 Registration No. 30,192  
 Attorney for Applicant(s)

Mail Stop AMENDMENT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

An Appendix including amended drawing figures labeled as "Annotated Marked-up Drawings" is enclosed.

No additional fee is required.

Fee Calculation For Claims As Amended

	As Amended	Previously Paid For	Present Extra	Rate	Additional Fee
Independent Claims	6	4	** = 2	x \$ 86.00	= \$ 172.00
Total Claims	40	32	* = 8	x \$ 18.00	= \$ 144.00
Fee for Multiply Dependent Claims				\$ 290.00	\$ 0.00
				Total Additional Fee	\$ 316.00

\*\* At least 3

\* At least 20

Applicant(s) assert entitlement to Small Entity Status (37 C.F.R. § 1.27), thus reducing the fee by half to:

A check in the amount of \$ \_\_\_\_\_ is enclosed.

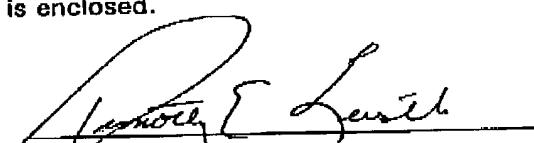
Application No. 10/684,074  
Amendment Dated Sept. 1, 2004

Charge \$ 316.00 to Deposit Account No. 06-1135.

The Director is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Director is authorized to charge the unpaid amount to Deposit Account No. 06-1135. A duplicate copy of this sheet is enclosed.

Sept. 1, 2004

Date

  
\_\_\_\_\_  
Timothy E. Levstik  
Registration No. 30,192

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SEP 01 2004

Patent  
Attorney Docket No. 79568IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Efstatiou, John D.

Appln No.: 10/684,074

Filed: October 10, 2003

For: Frozen Concentrated Liquid Whole Egg and Method of Making Same

Group Art

Unit: 1761

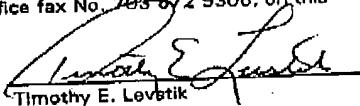
Examiner: Weier, Anthony

CERTIFICATE OF FACSIMILE

I hereby certify that this paper for Serial No. 10/684,074, is being facsimile transmitted to the U.S. Patent Office fax No. 703-672 9306, on this date.

Sep. 1, 2004

Date

  
Timothy E. Levstik30,192  
Registration No.PRELIMINARY AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

**Amendments to the Claims** are reflected in the listing of claims which begin on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.